

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

|                                 |   |                |
|---------------------------------|---|----------------|
| D.B. WALLACE o/b/o              | ) |                |
| PHYLLIS REEVES (Deceased)       | ) |                |
|                                 | ) |                |
| v.                              | ) | NO. 2:09-CV-35 |
|                                 | ) |                |
| MICHAEL J. ASTRUE,              | ) |                |
| Commissioner of Social Security | ) |                |

**ORDER**

This Social Security matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated February 11, 2010. In that Report and Recommendation, the Magistrate Judge recommends that the plaintiff's Motion for Summary Judgment, [Doc. 8], be granted to the extent of remanding the case to the Commissioner, and that the Commissioner's Motion for Summary Judgment, [Doc. 12], be denied. No objections have been filed to the Report and Recommendation. After careful consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and

Recommendation, which are incorporated by reference herein, it is hereby **ORDERED** that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 14], and that plaintiff's Motion for Summary Judgment, [Doc. 8], be **GRANTED** to the extent of **REMANDING** the case to the Commissioner as set out in the Report and Recommendation, and that the Commissioner's Motion for Summary Judgment, [Doc. 12], be **DENIED**.

E N T E R:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE